

Remarks/Arguments

Claims 1, 2, 4, 5 and 7 have been amended.

The Examiner has rejected applicant's claims 1-5 under 35 U.S.C. §102(b) as being anticipated by the Campo (U.S. 6,073,033) patent. The Examiner has also rejected applicant's claim 6 under 35 U.S.C. §103(a) as being unpatentable over the Campo patent. Finally, the Examiner has rejected applicant's claims 7 and 8 under 35 U.S.C. §103(a) as being unpatentable over the Kleinschmidt, et al. (U.S. 6,085,112) patent. Applicant has amended applicant's claims and, with respect to applicant's claims, as amended, and their respective dependent claims, the Examiner's rejections are respectfully traversed.

Applicant's independent claims 1, 2, 4, 5 and 7 have been amended to better define applicant's invention. More particularly, applicant's independent claim 1 recites a mobile-type electronic apparatus in which a communication means is capable of transmitting and receiving image data, a display portion is arranged to display image data and an enlargement display means has a prism mounted on the display portion and formed on reflecting or refracting surfaces thereon to optically enlarge an image on the display portion and to display the enlarged image as a virtual image. Applicant's claim 1 further recites a display circuit arranged to cause the display portion to display image data, an operation means for controlling the display circuit and a control means for controlling a power supply for the display circuit in accordance with an operation on the operation means. Applicant's amended claim 2 recites like features.

Applicant's independent claims 4 and 5 recite a communication means, a display portion, an enlargement display means and a display circuit similar to those recited in amended claim 1. Claim 4 further recites a detecting means for detecting that a body of the

electronic apparatus has been grasped by hand and a control means for turning on a power supply for a part of or the whole of the display circuit when the detecting means has detected that the body of the electronic apparatus has been grasped by hand. Amended claim 5, on the other hand, further recites a discriminating means for discriminating a communicating state of the communication means and a control means for controlling a power supply for the display circuit in accordance with an output of the discriminating means.

Such constructions are not taught or suggested by the cited Campo patent. In particular, the Campo patent teaches a portable telephone with a heads-up display module having a display mounted to be pivoted in front of a user's eye. Campo teaches that "the heads up display 54 may include a lens positioned in front of a heads-up display screen for creating a virtual screen image . . . [t]he screen can be backlit, and the backlighting can be turned off by the processor when the neutral position of the of the heads-up display pivot arm is reported . . . [and] [p]rovision can also be made for otherwise turning off the heads-up display, as by means of a display on/off switch or by input of a command to the processor via a keyboard 150 or by speech recognition." Col. 9, lines 13-23.

While the Campo patent thus teaches a heads-up display with a display having a lens for enlargement and backlighting, the patent fails to teach or suggest the use in such an enlargement display of a prism mounted on the display portion. Applicant's amended independent claims 1, 2, 4 and 5, and their respective dependent claims, all of which recite an enlargement display means having a prism mounted on the enlargement display portion and formed on reflecting or refracting surfaces thereon to optically enlarge an image on said display portion and to display the enlarged image as a virtual image, thus patentably distinguish over the Campo patent.

Applicant further submits that, while the Campo patent teaches controlling the power to the display by movement of a pivot arm, by an on/off switch and by speech recognition, these methods do not equate to controlling the power to the display by grasping of the body of the Campo device by hand. Amended claim 4 is thus believed to patentably distinguish over the Campo patent for the further recited feature of a "control means for turning on a power supply for a part of or the whole of said display circuit when said detecting means has detected that the body of said electronic apparatus has been grasped by hand."

Likewise, the controlling of the power to the display via the above-mentioned methods taught in the Campo patent are not methods based on the status of the communication circuit in the Campo device. Applicant's amended claim 5, and its respective dependent claim 6, are therefore believed to further patentably distinguish over the Campo patent in reciting "communication means capable of transmitting and receiving image data . . . discriminating means for discriminating a communication state of said communication means . . . and control means for controlling a power supply for said display circuit in accordance with an output of said discriminating means."

Applicant's independent claim 7 has also been amended similarly to claims 1, 2, 4 and 5 in defining the enlargement display means as "having a prism mounted on the enlargement display portion and formed on reflecting or refracting surfaces thereon to optically enlarge an image on said display portion and to display the enlarged image as a virtual image." Claim 7 also recites a communication means capable of transmitting and receiving image data, a display portion arranged to display image data or information necessary for a communicating operation, a display circuit arranged to cause the display portion to display image data, a detecting means for detecting that the enlargement display means has been peeped at and a

control means for controlling a power supply for the display circuit in accordance with an output of the detecting means.

Such a construction is not taught or suggested by the Kleinschmidt, et al. patent. More particularly, the Examiner has equated the eye tracker in the FIG. 4 of the device of the Kleinschmidt, et al. patent to a detecting means for detecting that the display has been peeped at. The Examiner then acknowledges that "Kleinschmidt does not teach control means for controlling a power supply for the display circuit in accordance with an output of the detecting means", but nonetheless argues that "since Kleinschmidt teaches an eye tracker tracks the position of the pupil of the eye to direct operation of the heads up display, it would have been obvious to one of ordinary skill in the art at the time of the invention to further use the eye track of Kleinschmidt to conveniently switch power to the display as opposed to usual pushbutton methods."

Applicant disagrees. There is nothing in the Kleinschmidt, et al. patent that indicates that the eye tracker is used to direct operation of the heads up display as argued by the Examiner. Moreover, there is clearly nothing taught or suggested in the patent that the eye tracker should be used to control powering of the display circuit. The Examiner's argument in this regard is thus believed to be based on the Examiner's attempt to meet the terms of applicant's claims and not what the skilled artisan would do based on the patent teachings. The Examiner's rejection should thus be withdrawn. Applicant further submits that while the Kleinschmidt, et al. patent mentions the use of prisms, it fails to teach or suggest an enlargement display means having a prism mounted on the enlargement display portion and formed on reflecting or refracting surfaces thereon. For all these reasons applicant's amended

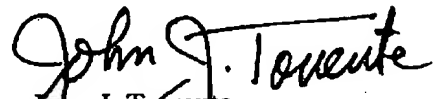
claim 7 and its respective claim 8, are believed to patentably distinguish over the Kleinschmidt, et al. patent.

In view of the above, it is submitted that applicant's claims, as amended, patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is respectfully requested.

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Respectfully submitted,


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